

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

**MATTHEW VANDERSLOOT**, individually  
and on behalf of all others similarly situated,

*Plaintiff,*

v.

**CHARLES BARATTA LLC D/B/A PRIME  
MARKETING**

*Defendant.*

Case No. 24-cv-7096

**[PROPOSED ORDER DENYING] DEFENDANT  
CHARLES BARATTA LLC'S  
MOTION TO DISMISS**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, it is hereby ORDERED that the  
Defendant's Motion to Dismiss (ECF No. 33, 34) is hereby DENIED.

*BY THE COURT:*

\_\_\_\_\_  
Hon. James M. Wicks, J.